

TITLE	DATE	ORIGINATING DEPT./DIV.
A RESOLUTION REQUESTING THE DEPARTMENT OF JUSTICE AND/OR THE U.S. ATTORNEY’S OFFICE OPEN A PATTERN OR PRACTICE INVESTIGATION OF THE SHREVEPORT POLICE DEPARTMENT AND OTHERWISE PROVIDING WITH RESPECT THERETO	7/9/20	OFFICE OF THE CITY COUNCIL SPONSOR OR COUNCIL MEMBER COUNCILWOMAN FULLER

PURPOSE

A Resolution requesting the U.S. Department of Justice open a pattern and practice investigation of the Shreveport Police Department ("SPD") for the purpose of conducting a review to include, but not limited to: (1) the SPD’s use of force (2) the SPD's handling of investigations of all allegations of officer misconduct (3) the SPD's standards of training, equipment and supervision provided to its officers.

This Ordinance or Resolution will have direct impact on Council District: **ALL**

BACKGROUND INFORMATION

The City Council of the City of Shreveport has been faced with serious questions and concerns regarding the apparent lack of transparency and accountability for the actions of members of the Shreveport Police Department. The Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14141 ("Section 14141"), authorizes the United States Attorney General to conduct investigations to eliminate a "pattern or practice of conduct by law enforcement officers ... that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States." A pattern or practice investigation would be independently conducted and serve the purpose of examining whether there is a pattern or practice of police misconduct, as well as identify steps to reform and eliminate it.

TIMETABLE

Introduction: **July 14, 2020**

Final Passage: **July 14, 2020**

SPECIAL PROCEDURAL REQUIREMENTS

N/A

FINANCES

SOURCE OF FUNDS

N/A

| N/A

CONCLUSION

FACT SHEET PREPARED BY: Thea R. Scott – Assistant City Attorney

RESOLUTION NO. ___ OF 2020

A RESOLUTION REQUESTING THE DEPARTMENT OF JUSTICE AND/OR THE U.S. ATTORNEY'S OFFICE TO OPEN A PATTERN OR PRACTICE INVESTIGATION OF THE SHREVEPORT POLICE DEPARTMENT AND OTHERWISE PROVIDING WITH RESPECT THERETO

BY: COUNCILWOMAN LEVETTE FULLER

WHEREAS, the City of Shreveport City Council has been recently faced with serious questions and concerns related to issues of accountability and lack of transparency for the actions of members of the Shreveport Police Department ("SPD"); and

WHEREAS, on April 5, 2020 Mr. Tommie McGlothen, Jr. died while in the custody of the Shreveport Police Department; and

WHEREAS, on April 19, 2020 Mr. Wavey Austin died in SPD custody; and

WHEREAS, the Caddo Parish District Attorney has stated publicly that there was a significant delay from the Shreveport Police Department in providing his office with their investigative files regarding the circumstances surrounding the deaths in police custody of Mr. Tommie McGlothen and Mr. Wavey Austin; and

WHEREAS, on June 29, 2020 eight (8) officers of the Shreveport Police Department were indicted by a grand jury on felony charges of malfeasance in office; and

WHEREAS, on or about July 10, 2019, two (2) officers of the Shreveport Police Department were respectively indicted for malfeasance in office and simple battery; and

WHEREAS, the citizens of the City of Shreveport have continued concerns surrounding the apparent lack of transparency and accountability related to the February 5, 2019 death of Mr. Anthony Childs; and

WHEREAS, while all of the aforementioned incidents require fact-specific investigations, the apparent lack of transparency and accountability by the members of the Shreveport Police Department raise serious concerns about whether their policies, procedures and practices are in conflict with lawful and effective policing in accordance with the constitutional rights guaranteed to all persons; and

WHEREAS, these incidents have further weakened an already strained relationship between the Shreveport Police Department and the citizens of the City of Shreveport; and

WHEREAS, The Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14141 ("Section 14141"), authorizes the United States Attorney General to conduct investigations to eliminate a "pattern or practice of conduct by law enforcement officers ... that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States."; and

WHEREAS, the Department of Justice's Civil Rights Division is suited to conduct a wholly independent, nonpartisan review and investigation of the policies, practices and procedures of the Shreveport Police Department.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, legal and regular session convened that it hereby requests that the Department of Justice Civil Rights Division initiate a pattern or practice investigation into whether there are systematic violations of the Constitution or federal law by the Shreveport Police Department including but not limited to:

- (1) the SPD's use of force,
- (2) the SPD'S handling of investigations of all allegations of officer misconduct,
and
- (3) the SPD's standards of training, equipment and supervision provided to its officers for the safe and effective performance of their duties.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

City Attorney's Office